

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ART SHY, et al.

Plaintiffs,

v.

NAVISTAR INTERNATIONAL
CORPORATIONAL, et al.

Defendants.

SUPPLEMENTAL BENEFIT
COMMITTEE OF THE NAVISTAR
INTERNATIONAL TRANSPORTATION
CORP. RETIREE SUPPLEMENTAL
BENEFIT PROGRAM,

Intervenor-Plaintiff,

v.

NAVISTAR INTERNATIONAL
CORPORATION,

Defendant.

Case No. 3:92-cv-00333
Judge Walter Herbert Rice

ELECTRONICALLY FILED

MOTION OF THE
SUPPLEMENTAL BENEFIT COMMITTEE OF THE NAVISTAR
INTERNATIONAL TRANSPORTATION CORPORATION RETIREE
SUPPLEMENTAL BENEFIT PROGRAM TO
ENFORCE THE SETTLEMENT AGREEMENT

COMES NOW, the Supplemental Benefit Committee of the Navistar International Transportation Corporation Retiree Supplemental Benefit Program (the "Committee"), by and through its undersigned counsel, moves this Court to enforce the terms of the settlement agreement executed by the parties in the above-captioned matter, and

subsequently approved by this Court. The Committee posits that Defendant Navistar International Corporation ("Navistar") has failed to meet their obligations under the settlement agreement, with respect to the Committee. The Committee thus requests that this Court enforce the terms of settlement agreement, and order Navistar to comply in full with the terms of the agreement and the Committee's requests for information. A memorandum in support accompanies this Motion and is incorporated as if fully rewritten herein.

Respectfully Submitted:

/s/ Kevin L. Murphy

Kevin L. Murphy (#0021810)
Graydon Head & Ritchey LLP
2400 Chamber Center Drive
Suite 300
Ft. Mitchell, KY 41014
859-578-3060 (p)
859-525-0214 (f)
kmurphy@graydon.com

Edward A. Scallet (*pro hac vice* admission
to be submitted)
Will E. Wilder (*pro hac vice* admission to be
submitted)
Groom Law Group, Chartered
1701 Pennsylvania Avenue, NW
Washington, DC 20006
202-857-0620 (p)
202-659-4503 (f)
eas@groom.com
wwilder@groom.com

CERTIFICATE OF SERVICE

I hereby certify that on this 26rd day of March, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record:

/s/ Kevin L. Murphy
Kevin L. Murphy